

Application No. 10/758,201
Amendment dated: January 16, 2007
Reply to Office Action of October 16, 2006

Docket No.: 0630-1939P

AMENDMENTS TO DRAWINGS

Figures 3 and 4 have been labeled "Conventional Art." Marked-up and formal copies of Figures 3 and 4 are enclosed.

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1, 3, 5-10, 12-14 and 16-31 are currently being prosecuted. The Examiner is respectfully requested to reconsider her rejections in view of the Amendments and Remarks as set forth herein below.

ALLOWABLE SUBJECT MATTER

Applicants thank the Examiner for indicating claims 4-6, 8, 9, 11-14 and 16-23 would be allowable if rewritten in independent form. In light of this indication, claim 1 has amended to include subject matter as recited in dependent claim 4, and claims 8 and 16 have been rewritten in independent form. Accordingly, the 35 U.S.C §§ 102(b) and 103(a) rejections noted in the Office Action are moot.

CLAIM FOR PRIORITY

The Examiner has not recognized the Applicants' claim for priority. Accordingly, it is respectfully requested the Examiner acknowledge the Applicants' claim for foreign priority in the next Office Action.

DRAWINGS

The Office Action indicates Figures 3 and 4 should be designated "Prior Art." In light of this indication, Figures 3 and 4 has been amended to include the legend "Conventional Art" as is done in Figures 1 and 2. Accordingly, it is respectfully requested the objections to the drawings be withdrawn.

ACKNOWLEDGEMENT OF INFORMATION DISCLOSURE STATEMENT

The Examiner has acknowledged the previously filed Information Disclosure Statement. An initial copy of the PTO-1449 has been received from the Examiner. No further action is necessary at this time.

OBJECTIONS TO THE SPECIFICATION

The Office Action objects to the specification in item 3 of the Office Action. Accordingly, enclosed is a substitute specification, which corrects minor formalities throughout the specification. No new matter has been added. A marked-up and clean copy of the substitute specification are enclosed.

CLAIM OBJECTIONS

The Office Action objects to claims 6-14, 17 and 21 in item 4 of the Office Action. The claims has been amended in light of the objections noted in the Office Action and to correct minor cosmetic informalities. Accordingly, it is respectfully requested this objection be withdrawn.

REJECTION UNDER 35 USC § 112

Claims 1-24 stand rejected under 35 U.S.C § 112, second paragraph. This rejection is respectfully traversed.

The claims have been amended in light of the comments noted in the Office Action regarding this rejection. It is respectfully submit the claims are definite within the meaning of 35 U.S.C § 112, second paragraph. Accordingly, it is respectfully requested this rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C §102(b) and 103(a)

As discussed above, the claims has been amended to include the indicated allowable subject matter. Accordingly, the rejections of the claims noted in items 8-16 in the Office Action are moot.

NEW CLAIMS

In addition, new claims 25-31 has been added to set forth the invention in a varying scope, and Applicants submit the new claims are supported by the originally filed specification. For example, new independent claim 25 recites that the support part comprises a pair of fixing members having grooves therein configured to receive edges of the vacuum dust bag, said fixing members being disposed substantially perpendicular to an upright axis of the vacuum cleaner

such that a top portion of the vacuum dust bag is inserted into the grooves of the fixing members and a bottom portion of the vacuum dust bag hangs below the top portion due to gravity. In addition, the vacuum dust bag is supported only via the support part such that the dust cover can be removed from the main body while the vacuum dust bag is still supported by the support part, the dust cover can be carried to a disposal location, and the vacuum dust bag can be removed from the support part by only pulling the vacuum dust bag out of the grooves of the fixing members to thereby dispose of the vacuum dust bag.

These features are supported at least by Figures 5 and 6 and the corresponding description in the specification. For example, Figures 5 and 6 illustrate the support part 20 includes a pair of fixing members 22 having grooves 23 therein configured to receive edges of the vacuum dust bag 500, in which the fixing members 22 are disposed substantially perpendicular to an upright axis of the vacuum cleaner such that a top portion of the vacuum dust bag 500 is inserted into the grooves 23 of the fixing members 22 and a bottom portion of the vacuum dust bag 500 hangs below the top portion due to gravity. In addition, the vacuum dust bag 500 is supported only via the support part 20 such that the dust cover 10 can be removed from the main body 200 while the vacuum dust bag 500 is still supported by the support part 20, the dust cover 10 can be carried to a disposal location, and the vacuum dust bag 500 can be removed from the support part 20 by only pulling the vacuum dust bag 500 out of the grooves 23 of the fixing members 22 to thereby dispose of the vacuum dust bag 500.

It is respectfully noted none of the applied references teach or suggest these features. For example, the support part in Stephens et al. is parallelly mounted with respect to the dust cover 30. Thus, vacuumed dust and particles are likely to get clogged in the entrance region of the dust bag 130. This differs from the present invention in which the fixing members are disposed perpendicular to an upright axis of the vacuum cleaner. Thus, material vacuumed through the connection duct 9 falls freely into dust bag 500. Similarly, Sumerau et al. and Schlappkohl also teach a parallel mounted support part. Further, in Stein et al., the bag 7 (Figure 2) is connected to a cover 2 via a complicated control mechanism 4 (see Figure 3, for example). Thus, the user must first disengage the bag 7 from the control mechanism 4 and then remove the bag 7 from the

guide 3. Therefore, it is likely that the user will get his or her hands dirty when removing the bag.

Accordingly, it is respectfully submitted independent claim 25 and each of the claims dependent therefrom are also allowable.

CONCLUSION

In the view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Since the remaining patents cited by the Examiner has not been utilized to reject the claims, but to merely show the state of the art, no comments need to be made with respect thereto.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone David A. Bilodeau at (703)205-8072 in Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 16, 2007

Respectfully submitted,

By

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ATTACHMENTS: Substitute Specification
Substitute Specification – Marked-Up Version
Replacement Sheets (Figures 3 and 4)
Annotated Sheets (Figures 3 and 4)

FIG. 3
CONVENTIONAL ART

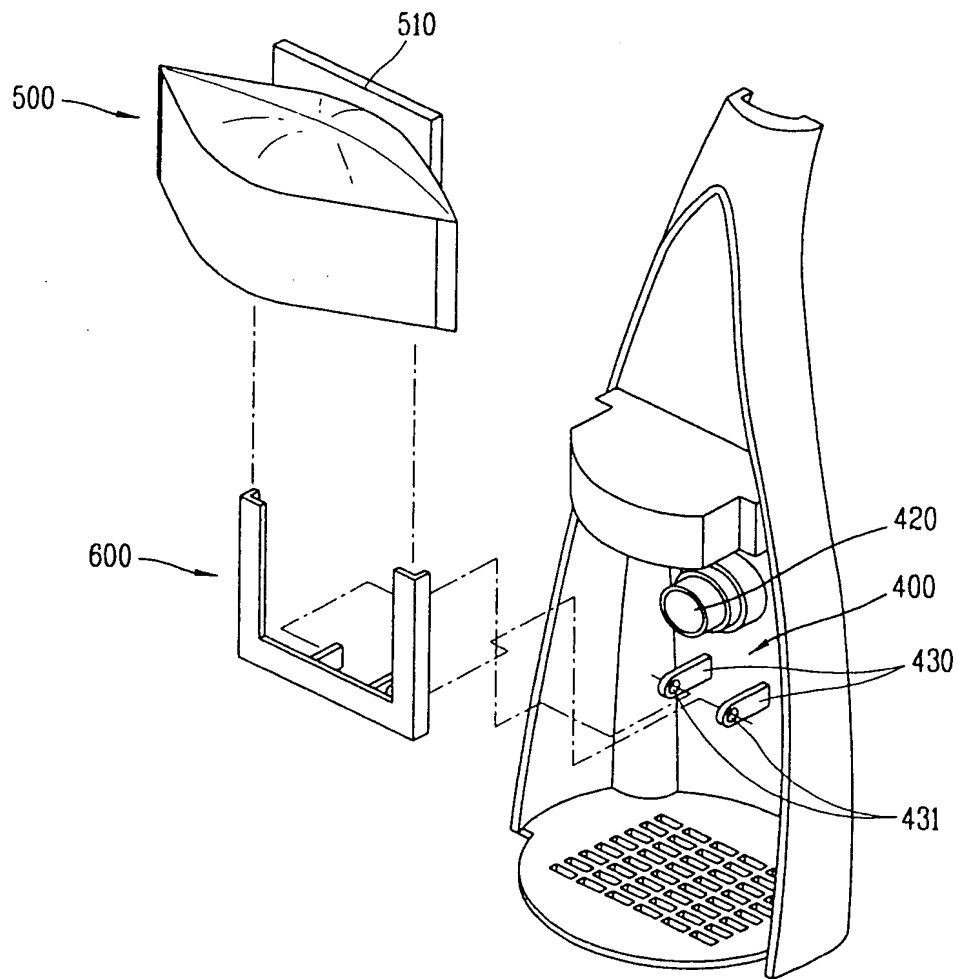


FIG. 4
CONVENTIONAL ART

